IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 21904 of 2006

For Approval and Signature:

HONOURABLE MR.JUSTICE S.R.BRAHMBHATT

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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KAMDAR SANGH KHARAGHODA - Petitioner
Versus
GENE.MANAGER AND FINANCIAL ADVISER & 4 - Respondents

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Appearance :
MR NR SHAHANI for Petitioner : 1,
MR PRANAV G DESAI for Respondents : 1 - 2.
RULE SERVED BY DS for Respondents : 3 - 5.
MR KETAN DWIVEDI AGP for Respondents : 4 - 5.

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CORAM : HONOURABLE MR.JUSTICE S.R.BRAHMBHATT

Date : 30/08/2007

ORAL JUDGMENT

1. Heard learned counsel for the parties.

2. Shri Desai, learned counsel appearing for the respondent Nos. 1 and 2 has placed on record by way of rejoinder affidavit the payment schedule and according to their submission, the payment shall be completed by 7.12.2007 and thereafter, the members of the petitioner Sangh will be paid regularly every month.

3. In view of the aforesaid rejoinder affidavit affirmed on 14.8.2007, Shri Shahani, learned counsel for the petitioner submits that the matter be disposed of, however, the respondents may not make any discrimination in making full payment to any other employees or group of employees. Shri Desai submits that no such discrimination shall be made by the respondents and respondents shall adhere to the schedule mentioned in the rejoinder affidavit.

4. In view of the aforesaid consensus, this petition is disposed of with following directions:

(i) The respondents shall abide by their statement and payment schedule made in the rejoinder affidavit.

(ii) The respondents shall also not make any discrimination in making the payment and in case the respondents are making full payment to other group of employees, the petitioners covered under this petition shall be also

paid accordingly.

5. With these directions, this petition is disposed of. Rule is discharged. However, liberty is reserved to revive the petition in case of difficulty. There shall be no order as to costs.

(S.R.BRAHMBHATT, J.)

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